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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,421	09/22/2000	Mohan Ananda	81045.913D3	2663

22804 7590 09/10/2007
THE HECKER LAW GROUP
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EXAMINER

SHERR, CRISTINA O

ART UNIT	PAPER NUMBER
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3621

MAIL DATE	DELIVERY MODE
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09/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/668,421

Applicant(s)

ANANDA, MOHAN

Examiner

Cristina Owen Sherr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-223 and 241-243 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 198, 203-204, 213-214, 216, 219-220, 22-223, 241-243 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to applicant's amendment filed June 21, 2007. Claims 198, 203-204, 213-214, 216, 219-220, 22-223, 241-243 are currently pending in this case. Claims 198 and 216 have been amended.

Response to Arguments

2. Applicant's arguments filed June 21, 2007 have been fully considered but they are not persuasive. Applicant argues, with respect to claims 198 and 216, as currently amended, that nothing in Lee (US 5,657,689) teaches, discloses or suggests "continuous verification and interruption of operations if verification is terminated".

3. Examiner respectfully disagrees and directs attention to Lee wherein "Operation of each franking machine is dependent upon a predetermined communication between the franking machine and the secure unit. The predetermined communication may comprise reception, by the franking machine of a predetermined signal from the secure unit. The **communication may be substantially continuous** or may be at predetermined time periods. For example **the secure unit may transmit continuously** and the franking machine may be operated such that during each franking operation, prior to accounting for a postage charge for an item and prior to printing a franking impression on the item, the microprocessor of the franking machine carries out a check to determine that the predetermined signal transmitted by the secure unit is being received. **If the predetermined signal is being received the microprocessor continues with the franking operation otherwise if the predetermined signal is not received the microprocessor is inhibited from continuing** the franking operation."

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(col 3 ln 7-25) (emphasis added). Note that the verification is being transmitted either “substantially” continuously or “continuously” and that if the “predetermined signal” is “not received” the operation is “inhibited from continuing” (i.e., interrupted, not inhibited from starting in the first place but inhibited from continuing).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 198 and 216 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cordery et al (US 5,454,038A) in view of Lee (US 5,657,689).

Cordery discloses a system for transferring items having value in a computer network comprising a plurality of user terminals coupled to a computer network; a database system coupled to said network and remote from said plurality of user terminals for storing information about one or more users using said plurality of user terminals; and a server system coupled to said network, said server system comprising cryptographic capabilities for transferring an item having value utilizing said information stored in said database system (Col 2 ln 60 - col 4 ln 26).

6. Cordery does not disclose continuous verification of authorization, where operations are terminated if said continuous verification is interrupted. However, such authorization is old and well-known. (See, for example, Lee at 7-25. “Operation of each

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franking machine is dependent upon a predetermined communication between the franking machine and the secure unit. The predetermined communication may comprise reception, by the franking machine of a predetermined signal from the secure unit. The communication may be substantially continuous or may be at predetermined time periods. For example the secure unit may transmit continuously and the franking machine may be operated such that during each franking operation, prior to accounting for a postage charge for an item and prior to printing a franking impression on the item, the microprocessor of the franking machine carries out a check to determine that the predetermined signal transmitted by the secure unit is being received. If the predetermined signal is being received the microprocessor continues with the franking operation otherwise if the predetermined signal is not received the microprocessor is inhibited from continuing the franking operation.")

7. It would have been obvious to one of ordinary skill in the art to employ a plurality of postal security device data (e.g., prepaid postage credit) stored in the database for ensuring authenticity or authority of each user (e.g., to prevent fraud by unauthorized users), wherein each postal security device data is related to one of the users and the postal security device data related to the one of the users is loaded into the cryptographic device when one of the users requests to print a value-bearing item (e.g., to prevent fraud by unauthorized users).

8. Claims 203, 204, 213, 214, and 223 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cordery et al (US 5,454,038A) in view of Lee (US 5,657,689) further in view of Kara (US 5,822,739).

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9. Re claims 203, and 204: Cordery discloses:

- a database that comprises data for creating indicium, account maintenance, and revenue protection (e.g., col. 6, lines 49-53)
- where the value-bearing item is a mail-piece (e.g., postage for mail)
- where the cryptographic device generates a digital signature (e.g., digital token)
- where the cryptographic device encrypts the request information (col. 3, line 65-col. 4, line 3).

10. Kara discloses that the server (e.g., the Meter program) verifies whether the proper funding is available for the transaction requested by the user (e.g. col. 13, lines 31-45). Therefore it would have been obvious to one of ordinary skill in the art to employ a plurality of postal security device data (e.g., prepaid postage credit) stored in the database for ensuring authenticity or authority of each user (e.g., to prevent fraud by unauthorized users), wherein each postal security device data is related to one of the users and the postal security device data related to the one of the users is loaded into the cryptographic device when one of the users requests to print a value-bearing item (e.g., to prevent fraud by unauthorized users).

11. Re claims 213 and 214:

Cordery discloses the postal security device data comprising an ascending register value, a descending register value, a respective cryptographic device ID, and an indicium key certificate serial number; encryption keys; and the use of a password (e.g., col. 4, line 55-col. 7, line 15). Cordery does not explicitly disclose the claimed public and

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private keys. However, as shown by Kara (e.g., col. 10, lines 18-29), the claimed public/private key feature is well-known encryption method in the art.

12. Re claims 219, 220, 222, 223, 241-243:

The claimed method would have been obvious to use the system that would have been obvious in Cordery in view of Lee further in view of Kara as stated above.

13. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

15. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on 571-272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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